1875-76.
(L.R.)

File. No. 36 of 1875
Serial No. 1-5.

Sub: Appeal of Laksmipathaiya for the Shanbhogi office of Hudgur village, Kudibande Taluk.

(15)

G. R. S. IX-5]

Previous references.

L.R. 38 of 1875

1875-76
~~192~~.
(L. R.)

File No. 36 of 1875

Serial Nos. 1 — 5

Later references.

L.R. 1197 of 1890

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 5

Memo Part B for April 1879.

SUBJECT.

Appeal of Lakshmikathaveya for the Shanbhogi Office of Hudugur Village, Gudibande Taluk

To

Lakshmikathaveya Hakdar
Shanbhog of Hudgur Gudibanda

No. 3138 dated 9.4.1879.

L.5 Informs that there is no reason to interfere with the orders already passed.

WD 2233—G.P.S.—30,000—11-6-20

P.X. 25/1872

To

1-1-72

Colonel G.L. Pearse
Commissioner Mundidroog
Division

The humble petition
of Lakshmipathaya huckdar
Shanbog of Hudagoor village
Gudib-anda Talook.

Humbly Sheweth.

That in Contradiction to
the Chief Commissioner's
+rulings the Dy: Commr
of Colar Destrict dismissed
your petitioner from the
office of Shanbog of Hudagoor
village to which your petr
succeeded as a goomastha
according to the practice
of 1861 on the death of
Narasappa the huckdar
Shanbog of the same village
as his lawful heir and
performed his funeral
obsequies and is still
performing his annual
Ceremony and who is entitled
to

+ Ordo 142 of 1862 to the Supt
of the late Bangalore Division
(2) General circular of 22nd Octo-
-ber 1872 to the Supttos of Divns
* Vide order No 7 of 3rd April
1895 issued to the Asst Commr
of the Chickaballapur Sub-
- Division.

1 Petition dated 9th June 1871 from Luscmanaah and Ackayamma to the Court of Amildar of the Gudibanda Talook.

2 Power of allowing dated dated 19th June 1861 from Do.

3 Deposition dated 28th Septr 1861 given by Do. before the Amildar in suit No. 10 of 1861-62.

4. Order No. 189 dated 3rd Janry 1867 from the Dy Supt to the Amildar of Gudibanda

5. Agreement dated 22nd July 1867 executed by Akkayamma and Luscumman to petitioner.

6. Order No. 103 dated 24th August 1870 from the Dy Supt to the Amilder of Gudibanda.

to his moveable and immoveable property and liabalities as shown in the papers noted in the margin and appointed one Venkataraya who is wholly unconnected with your petrs family. Your petitioner therefore begs to take the liberity to lay this appeal before your honor detailing the grounds on which he was dismissed from the office, and his explanations thereon: just and merciful as your honor is he humbly solicits that your honor may be pleased to call for the proceedings of the Case and on perusal thereof pass orders for his restoration to the office from which he was unjustly dismissed

Purport of the order No. 9

"Luscmipataya Gunnaste of the office of Shanbog is not obedient servant

3

petitioner begs to show that he always obeyed the orders of Government. In 1874 your petitioner having had to attend some urgent private affairs applied to the Amil for a weeks leave of absence to which no reply was received. His application through the Shakdar was no better and still less was the effect of his application direct to the Amildar made on the 16th ult. March 1875 for one months leave of absence. On the 21st idem having delivered the accounts of his village for 1874-75 in the Taluk Cutchery returned to his village on the following day. Your petr. had to attend the Court of the Moonsiff of Chickaballa-pur to give evidence in a Civil suit for which he left the village under Section 38 of the Chief Commrs. Notification No. 2190 of 27th Oct 1874 (which provides that a

a village servant
whether a Shanbog or Potel
should not absent him-
-self more than 7 days
without the permission of
the Amildar and having
duly attended the Cutch
on the 25th and learned
that the suit adjourned, re
-turned to duty on the 26th
idem. Under these Circum
-stances your honor may
Consider how the petitio-
-ner was dis-obedient.
-2nd" Complaints from
the Hugdars have been
received against him tha
he does not properly pay
them perquisites &c"

With reference to this
point your petitioner beg
to submit that he is bound
to pay to Akkayamma
and Lusamma the alleg
hugdars annually
5- Khanes of jagory & Rs 1-7-
As to their maintanance
he has made over to them
the Inam lands attached
to

to the office of Shanbog
in question, as also Com-
- dayum lands. He has
paid the jagoy and the
ready money upto 1874,
those of the current yea
are to be collected and
paid while the lands
have been in their posses
and they have been fr
enjoying the produce
thereof without the in
- ference of your petrs
them. This being the ca
your honor may Consi
what proof the Deputy
Comm^r. had for his st
- tement in his order
above alluded to.

The Chief Comm^rs.
rulings is to the effect
that " the females have
no right to the office o
Shanbog, that no other
persons than Huckdars
should be appointed as
Gumastas, that village
offices are to be Consid
ered hereditary and to,

Therefore Rukshmeputty
is to be dismissed
Venkataraya who is
nominated by the Hugdar
appointed who is re-
ported to be a qualified
man

8

5

he enjoyed in succes
that in any case whe
it may appear to the
- missioner that the
hereditary claimant
to the office is unfit f
old age, incurable d
- ease, incapacity o
bad character, that
of his direct and in
- mediate male de
- scendants such as s
and grand son shou
be appointed, and t
unless the crimin
act were done in the
execution of his offi
such as treason, seri
defalcation, embezzle
of Govt money the imp
of illegal cess from t
ryots or fraudulent
Clandestine enjoy
his right cannot
confiscated to the
- ment of his heirs.
your petitioner h
sin

submit that as your petitioner has not committed any of the offences enumerated above his removal from the office is unjust and still more so is the appointment of a stranger to it.

Dated
75

For this act of Charity & justice the petitioner as in duty bound shall ever pray.

/sd/ The petitioner

A. 263.

10 7

16/a

Miscellaneous Revenue Special Appeal.

Special Appellant

Lakshmipathiah late
Amastah of the Shan-
bog's Office of the
Hoddeyur Village, Su-
bandu Taluk.

Original Defendant
and Appellant)

Special Respondent

1. Akkiammah of the
said Hoddeyur Village
2. Lakshmammah of
3. Venkatrayappah of

(Original Plaintiffs
& Respondents)

No. 1903 917-7-75

This is a special Appeal
against an Endorsement
Order No. 331 of the 31st
August 1875 issued to the
Defendant Lakshmipa-
thiah by the Commissioner
Nundydroog Division
rejecting his appeal re-
garding his right to the
Office of Shanbhog of
the Hoddeyur Village in
the Gudibanda Taluk.

2. The facts of the case
may be summarized as
follows

follows. 8. 11

3. The 1st and 2nd Plaintiffs and the Defendant are members of one family and related as Cousins,* and the 3rd Plaintiff is the brother of the 2nd Plaintiff and a shareholder of the Potailee Office of the said Village. The 2nd Plaintiff is the 1st Plaintiff's daughter-in-law.

4. The 1st Plaintiff's husband named Narsappa who was the Stala Shumbhog of the Hoddupur Village had employed the 3rd Plaintiff as his Gumastah since the year 1853 and he was performing the duties of the Shumbhog. In the year 1858, when Narsappah was on sick bed, he sent for the Defendant Lakshmipathiah who was young and kept him in his house. Narsappah died without

* Vide 1st and 2nd Plaintiffs petition to the Superty of the late Bangalore Divisn dated 26th May 1861.

* Vide 1st and 2nd Plaintiffs deposition dated 27th April

leaving any children & the Defendant performed his funeral &c.a Ceremonies in the name of his widow the 1st Plaintiff, and he now continues to perform the annual ceremonies of the deceased Narsappah.

5. In 1858-59 after Narsappah's death, the 1st and 2d Plaintiffs presented Petitions* to the effect that they do not want the 3d Plaintiff to act as their Poomastah, as he was not carrying on the duties properly, he having held the post of Potail also, that they were not able to pay him the monthly allowance and that he was doing injury to their property and huck.s, and they requested that one Sadee Narsiah (Defendant's father), or another M. Narsiah may be appointed

* Vide Petition to the Amil dated 1st February 1859 & Amildar's Urzie to the Superintt dated 31st March 1859.

as their Poomastah. The
Amildar first recommended
Ll. Narsiah and after=
wards, one Rangappah
(Defendants maternal uncle)
to perform the duties as
Poomastah. The Superte
of the then Bangalore Di=
vision appointed* Rangap=
=pah, as the said Ll. Nar=
=siah was considered un=
=fit for the post from want
of experience in carrying
on the duties. The said
Rangappah acted as Poo=
=mastah for about one
year, and then took leave
appointing the Defendant@
to act as his substitute.
Rangappah did not return
and take up the duties,
whereupon the Superinte
of the Division* sent for
the 1st and 2nd Plaintiffs
and the Defendant
and took depositions from
them and confirmed@ the
defendant in the post of
Poomastah, as desired by the
1st

* No 274 dt 12-10-59.

@ Supertts order No 300
dt 8-12-60

* Order No 139 dt 28-6-61.

@ Order No 176 dt 27-7-61

1st Plaintiff.

6. From the year 1858 upto the year 1866, the 1st and 2nd Plaintiffs, and the Defendant were living together in common, the Defendant being made liable to the debts left by the deceased Cursappale.

7. In the year 1867, there was a separation between the 1st and 2nd Plaintiffs & the Defendant, and the former wished to remove the latter from the Office of Sumastah, but the Deputy Commissioner did not approve of it, and issued an order to the effect that if the Defendant fail to compromise with the 1st and 2nd Plaintiffs he would be removed from the Office. He accordingly came to terms by means of a Panchayet and entered into an agreement on Stamp paper to the effect that

[1] 1st and 2nd Plaintiffs' deposition dt 27-4-67.

[2] 1st and 2nd Plaintiffs' petition dt 9-6-61 to the Assistant Court in O. Suit No. 18 of 1861-62.

[3] Order No. 189 dt 3-1-67
" No. 63 dt 15-5-67

that the Plaintiffs should
enjoy the Inam lands of
the Office of Shanbhog &
also the Candoyem lands
held by the deceased Narsap-
-pah and certain fees pay-
-able by ryots, on occasions
of marriage and of the
worship of the Village deity,
as well as Elviafsi dues
in kind and cash as noted
in the margin received from * In Cash — R a P
the Ryots by the defendant, 1 — 7 — 4
and that they should not In Kind — 5 Marcals of Jaggery
interfere with each others one half of the
profits? On the same day, number of Cocoa
they presented a Razeenamah -nuts received from
to the Amildar stating shopkeepers & one
that they entered into an half of the numbe
agreement and that they of Sugarcanes
had no complaints against received from Ryots
each other.

8. In the year 1870, there
again arose a disputes,
when the 1st and 2nd Plaintiffs
Complained to the Amildar
to the effect that as the
Defendant was not paying
their

their Mersafi dues to them properly, he may be removed from the post of Soomastah and that the name of one Narsinga Row, a minor, son of the 2nd Plaintiffs' daughter may be registered as Shanbhog, a Soomastah being appointed to perform the duties. The Defendant asserted that he was entitled to the Huck of the Shanbhogi Office and that he should not be removed from it. The 1st and 2nd Plaintiffs also verbally accused the Defendant of certain concealments. The Amildar having examined the matter reported that the Defendant had built a house on certain land ~~without~~ without application and permission; that he omitted to enter in the account a sum of Rupees 0-7-0 being the assessment of a certain land and that he had not kept his accounts properly.

* No. 138 of 23-7-70

D Keay.

Whereupon the Deputy Commr
ordered that twice the value* No 83 of 25-7-70.
of the land on which the
defendant built a house
without application and
permission must be levied
from him together with 4
times the assessment of 7
annas omitted in the ac-
-counts, and that a fine of
2 Rupees be inflicted on
the Defendant for not ha-
-ving kept the accounts
properly, warning him that
if he did not keep the
accounts properly, he would
be removed from the office
and that the said Narsinga
Row should be sent to the
Deputy Commissioner for
examination together with
the parties.

9. The Deputy Commissioner
having examined the case
in the presence of both the
parties and perused the
geneological tree of the family
produced

* No 103 of 24-8-70.

produced by the Defendant, ordered that the Defendant (Lakshmipathiah) should continue to perform the duties, on the grounds that the complaint of the Plaintiffs was not proved; that the said Narsinga Rau was unfit for the post; that the Defendant has been performing the duties of the Office as Poomastah since 1861 under orders of the Superintendent, as the 1st Plaintiffs' husband had left no other qualified male heirs; that the assertion of the Plaintiffs that the Defendant was not paying them Miasi dues properly was not proved; that the Plaintiffs failed to disprove the genealogical tree presented by the Defendant, which shows that the great grandfather of the 1st Plaintiffs' husband and the great great grandfather

of the Defendant were bro-
-thers; that those claiming
the Rucke may bring a
regular suit; that the De-
-fendant performed the fu-
-neral &c. ceremonies of
the deceased Varadappah
and was protector of the
1st and 2nd Plaintiffs and he
was living in common with
them, and after separation,
he has given them the Inam
lands for their maintenance
and also gives the Mirasi
dues. The Deputy Commr.
at the same time ordered
to warn Lakshmipathiah,
that if any complaint to
the effect that he was not
paying the Mirasi dues
to the 1st and 2nd Plaintiffs
properly be received and
proved, he would be deprived
of the Office.

10 In the year 1873, the
Plaintiffs, again repeated their
complaint to the same effect

as

X 11.9.73

as stated in para 8 above,
whereupon the deputy Commr
referred them to the previous
order No. 103 above alluded to.

11- In the year 1874, the
defendant applied to the
Amildar and obtained a cer-
-tain piece of land on Can-
-doyem, and also permission
to excavate a channel to
irrigate that land. On the
Amildar's report that the
defendant excavated the
Channel through the lands
of a certain Ryot without
his (Amildar's) permission,
the Deputy Commissioner
ordered that the matter
should be properly enquired
into and reported; and that
as the 1st and 2nd Plaintiffs
Complained that the De-
-fendant is not paying them
Mirasi properly he cannot
be allowed to do the Shanbhag
duties but that another
person should be selected

19.4.73

a Defendi Memo No 244 was submitted a few days ago Pendency the passed thereon.

Mr Thomas for Pltf
It was stated that there was two factions in the village & that Pltf was the head of one

according to their desire and sent up to the Deputy Commissioner for examination.

12. The Amildar enquired into the matter of the channel excavated by the defendant on the criminal side and fined him in the sum of Rupees 20-----

13. The defendant requested the Amildar to grant him leave of absence for 15 days on substitute to Kolar and other places, but the Amildar refused to grant his application. The defendant thereupon submitted to the Amildar another application (for one months leave) to the effect that the leave was urgently required and went away. + Dy 30.9.74 ⊗ Dy 16.3.75

14. The Amildar reported to the Assistant Commr in charge of the Sub Division, and the Deputy Commr that since he took charge of the Taluk, complaints have been repeated & received + Rep 410 Dy 5.10.74 " 190 Dy 25.3.75.

against the Defendant,
who heads a faction of
certain Ryots in opposition
to another party in the Vil
=lage; that the time of the Taluk
authorities is unnecessarily
wasted in disposing of the
Complaints of these opposit
parties against each other,
that the Villagers would
be freed from annoyance
and much trouble if the
Defendant be removed from
the Shanbhogy Office, that
the Defendant went awa
without obtaining per=
=mission; that he had not
completed his accounts; that
the 1st and 2nd Plaintiffs
wish that the 3rd Plaintiff
should be appointed as foo=
=mastah; that the 3rd Plff
has given up the Potailee
Office and is fit for the
office of Shanbhog the duties
of which he had been formerly
performing.

15. The Deputy Commissioner

W

sent the 3d Plaintiff to the Assistant Commissioner for examination, and that Officer on examining him reported that the 1st and 2d Plaintiffs complained that the Defendant is not giving them the Mirasi properly; that the 3d Plaintiff is fit for the Shanbhog Office, & that the Defendant appears to be insubordinate as he went away without permission and without completing the accounts. * No 1113 of 28th March 1875.

16. The Deputy Commr passed an order to the effect that the Defendant should be removed from the Office and that the said Venkat Royah the 3d Plaintiff may be allowed to perform the duties on the grounds that the Defendant is insubordinate; that the 1st and 2d Plaintiffs complained that he has not been paying them ⊗ No 7 of 3d April 1875.

1 Rough

(~~the fact does~~ does not appear to have been enquired into and proved as stated in his order No. 103 above quoted in para 9) the Dewanship dues properly, and that the 3rd Plaintiff is fit for the post.

17. In submitting copies of documents mentioned in paras 6 & 9 of this Memo and 2 petitions and a deposition given by the 1st and 2nd Plaintiffs to the effect that the Defendant was the person who undertook to pay the debts of the deceased Narsappah, the Defendant appealed to the Commissioner Vandywash Division and requested that he may be restored to the office of Shambhog on the following grounds; that in the year 1874 he twice applied to the Amildar for leave of absence which he urgently

When the complaint was first made it was not (the Dy Com says in his Order No 103) proved, but what is alluded to in order No 7 Dy 2 Feb 75 is the subsequent complaint of the inquiry, when the Dy Com admits to have believed

28-5-75

required but no reply was
se given him, that on 16th March
Ad 1875 he applied for one month's
fo leave through the Shaikdar,
& and having given over the
rs accounts to the Salute Cut=
& =cherry on the 21st March 1875,
t he went to the Chikballapur
l Mounsiff Court on the 26th
t ellarch 1875 as he was re=
f =quired to appear there as a
t witness and returned to his
l Village on duty on the 26th
=ident having absented him=
=self for only one day; that
he left the Village according
d to the permission given to
Shanbhogs in para 380 of
l Chief Commissioner's Noti=
e =fication No. 219 dated 27th
x October 1874; that the annual
l Mirasi dues and ready
o money payable to the 1st and
n 2nd Plaintiffs were all paid
u by him up to the year 1874,
th and that the Mirasi due
th for 1875 will be paid after
se Collection from the Ryots.

No 142 of 12-6-75

Circulars No 5 of 23rd Oct 1875.

4 6.75

14. 8.75.

that the Inamdar Landlords
in their own enjoyment.
That the Chief Commrs
Circular orders on the subje
are to the effect that
female
the
no
sh
-me
is hereby
right to
hos, that
kdars
das Ge
the Offic
, that he has
not been guilty of any cri
-minal offence in the exe
-cution of his Office such
as defalcation &c; that
Venkatroyah is not a
member of his family.
18. Colonel Pearse then
referred the case to the Deputy
Commissioner for enquiry
and report if necessary.
The Deputy Commissioner
reported that constant com
-plaints have been received
to the effect that the De
-fendant who is a Sumastah
does not pay the Huckdars
their dues and is not only
P.T.O.

hostile to the Ryots but
leases them, and that it
has been reported that
he does not look after the
accounts and other works
properly, absents himself without
leave, and does not behave
well as a subordinate, he
has been removed and another
Competent person selected
on behalf of the Huckdars.
Upon this the Commissioner
declined to interfere in the
matter. 28-8-75

19. Against the Com-
missioner's order the Defendant
appeals to the Chief Commd
alleging, in addition to the
grounds set forth by him
in the lower Court, that he
is quite innocent; that two
of the Ryots in the Village
Viz. Venkatreddy and Dodda,
Chen Naik having cut Go-
-vernment trees and encroach-
-ed on Government land, the
Defendant by virtue of his
Office

Officers of Shambles &c re[po]
the matter to the Salu[-]
District, and Division a[u]
=thorities, but the matter
was not enquired into by
the Amildar; that for the
foregoing reasons the
said two individuals bear
bitter hatred towards the
Defendant, and try to do him
all the injury which they
possibly could by writing
petitions containing false
charges against him, and
accusing him of injuring
the Ryots; that the Defendant
has been discharging the
duties of Shanbhog for the
last 15 years without any
being found fault with,
but the present Amildar
(on Duty his ears to the
Calumnious reports of the
said individuals distrusts
the Defendant and has
submitted a false report
against him; that though
nominally a Permanent Re
is

required but no reply was
given him; that on 16th March
1875 he applied for one month's
leave through the Shirkdar,
and having given over the
accounts to the Salute Cut-
cherry on the 21st March 1875,
he went to the Chikballapur
Moonsiff Court on the 26th
March 1875 as he was re-
quired to appear there as a
witness and returned to his
village on duty on the 26th
idem having absented him-
self for only one day; that
he left the Village according
to the permission given to
Shanbhogs in para 38 of
Chief Commissioner's No-
tification No. 219 dated 27th
October 1874; that the annual
Mirasi dues and ready
money payable to the 1st and
2nd Plaintiffs were all paid
by him up to the year 1874,
and that the Mirasi due
for 1875 will be paid after
collection from the Ryots.

& that the Inamdars lands are in their own enjoyment.

That the Chief Commrs Circular orders on the subject are to the effect that Females have no right to the Office of Shanbhog, that no others but Huckdars should be appointed as Gumastahs; that the Office is hereditary; that he has not been guilty of any criminal offence in the execution of his Office such as defalcation &c; & that Venkatroyah is not a member of his family.

18. Colonel Pearse then refered the case to the Deputy Commissioner for enquiry and report if necessary. The Deputy Commissioner reported that constant complaints have been received to the effect that the Defendant who is a Gumastah does not pay the Huckdars their dues and is not only

* No 142 dt 12-6-62 put up

@ Circular No 5 dt 22 Oct 1775. put up

x 4. 6. 75

D 14. 8. 75.

31 28

the Dft that
if he did
not forthwith
pay the dues
he will be
removed from
Office. This
~~notice~~ order was
verbally communi-
cated to Dft
who pleaded
that he was
prepared to pay
the means to
Pltff if the
latter gave him
a receipt. Vide
Oberkdans Report
to 264 of 11 Oct/73.

32

23 The Comdg
Commd the
Encmt made
by Off as fmdgs
and directed
Sheridan Capt. to
tell the Off to
pay the dues
and to settle
matters. Vide
Comds' No 315-
of 28th Oct/73

24. Whether
the dues for the
two years afor.
mentioned were
paid by Sgt
Arnott, & not
clear from the
Record —

hostile to the Ryots but
teases them, and that it
has also been reported that
he does not look after the
accounts and other works
properly, absents himself without
leave, and does not behave
well as a subordinate, he
has been removed and another
Competent person selected
on behalf of the Huckdars.
Upon this the Commissioner
declined to interfere in the
matter.

28-8-75

19. Against the Com=
missioner's order the Defendant
appeals to the Chief Commr
alleging, in addition to the
grounds set forth by him
in the lower Court, that he
is quite innocent; that two
of the Ryots in the Village
viz. Venkatreddy and Dodda
Cheni Naik have cut Go=
vernment trees and encroach=
ed on Government land, the
Defendant by virtue of his
Office

23 The Amildar
Cinsidered the
Enquiry made
by Dft as fundar,
and directed
Shaikdar Dft.
the ~~Amildar~~ to
~~tell the Dft to~~
pay the dues
and to settle
matters. Vide
Amils' No 315-
87 28" Oct/73

24. Whether
the dues for the
two years afore
mentioned were
paid by Dft
or not, & Not
clear from the
record —

25. On the 30 28
Sept. 1874, Pltfs
again complained
to the Deputy Com.
that the Off did
not give them
the cocoanuts and
money payments
due for Streemka (1873.4), and that only
the Captains and
Viewed for them
by the Auckland
on their representation
made to that Officer
during Jones's
time — In this
petition the Pltfs
prayed for the
removal of Off-
on several grounds,
viz:-

× from the fact that in the petition no allusion was made to the arrears after two previous years, they be inferred the Off had the same instr. given to Rec. under Council No 345 CCT.

Mr. Justice Pearson

Mr. Justice Shamsuddin

10/7/76.

The orders of the Dy Comm.
& Comm. Rs suspending the
Defs. from the Office of Lambardar
beg to confirm by M/J

Ignite Causes in the
above and have no
hesitation in confirming
the decisions passed
by the Deputy Comr. &
Comr. dismissing the
Defs. from the Office
of Lambardar &
accordingly the Appeal
of the Defts is hereby
~~rejected~~ dismissed

Shamsuddin

17.7.76

Draft
18/7/76

C. 65 Gen'l 1876. No. 7812/261

From

To The Commissioner of the Sandyroog Division

Dated Bangalore 17th January 1876

Despatched ——— 187

Received LA. 36-75-1

ENCLOSURES NO.

General No. 7812

No. 261

Requesting submission of the Proceedings connected with the case of Rakkamapattiah Bale-dar Shanbog of Hudagur in the Gudebanda Taluk.

By Order

Offg Secretary

Mem. No 4182 of 17 July 1876

898

Endorse the CC
decision to enclose
with the order already
passed

7/8

Encl. 3

1878.-79

No. 3138

Name of Petitioner. Luckshimipatiah Shambhog Hakdar of

Village. Kudugur

Taluk. Gudibanda

District. Kolar

Date of Arzi. 15/3/79

Date of Receipt. 18/3/79

Date of Disposal. 20. 36-754

No. of Enclosures. Three

ABSTRACT.

Submits an English Petn attaching stamps to the value of Rs. 2/- thereto in obedience to this office indorsement No. 2579 of 22/2/79 and begging to be restored to the Shambhogship.

Cover 1 rupee stamp & two 8 annas stamps

Hakdar Sunnavada Agra

The dismissal of Peti was confirmed by the late Chief Comr Mr Saunders. Vide

is put to great inconvenience and hardship.
He therefore requests your honor will be
graciously pleased to order his restoration to
the post from which he has been removed
by the Deputy Commissioner. Your
petitioner received an Endorsement No. 2679
of the 22nd February 1879, that his petition
has been rejected for want of Stamp, there-
-fore he begs to submit to your honor his petition
again on a proper Stamp. For which he as
in duty bound shall ever pray.

Your humble petitioner

15-3-79

No 3138

ENDORSEMENT.

L.R. 36-75-5

In reply to this Petition, dated 15th March 1879,

Subramiapattiah, Vakeel of Sringeri, Sudibandu Sahib is informed that the Chief Commr declines to interfere with the order already passed.

2. The enclosures of this petition are herewith returned.

"By Order,"

for Offg Secretary.

Mysore Chief Commissioner's Office,
Daftar Department,
9th April 1879.

To

Lake Superior Territory

Baldwin Chamberlain

Q. G. April 1879

C No 3138

Informs that the C. F. declines to interfere with the order already passed.

G. R. S. 58]

Previous references.

1875-76

~~191~~ .

(Registration)

File No. A. 21

Serial Nos. 1-5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

Part B for

SUBJECT.

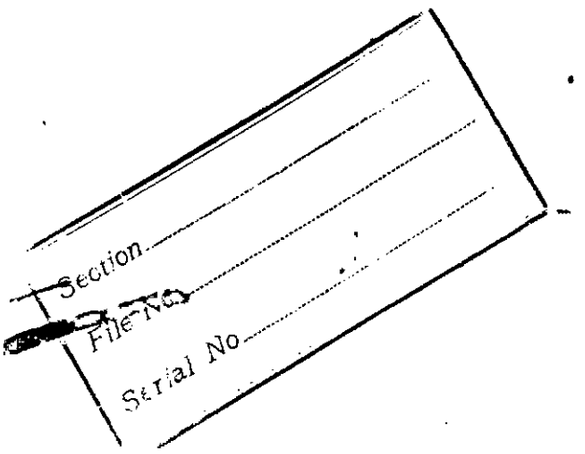
Discontinuance of the registration of Village Service grants by the Inam Departments.

Indexed
M. Khan

W D 1351—GPB—20,000—13-12-13

V-92

1876 O. 808. 18



From,

The Survey & Settlement Commissioner

Mysore.

To,

The Secretary to the Chief Commissioner,

General Department.

Dated 3rd May

Despatched Poona 9th May

Received 12th

Rec'd 13th

ENCLOSURES—No.

General No. 667

No.

A July 1876

Proposing to cease
registering Inam Enams
in land & village
officers and servants
in the Enam Dept
investigation

Cancelled

12-5-76

Memo sibd 26/6/76. draft Submd 29/6/76

Rec'd 19-5-76.

No. 667 of 1876

From

Colonel W. C. Anderson

Survey & Enam Commissioner of Mysore

To

The Secretary to the Chief Commissioner

of Mysore

Survey Commissioners Office

North Canara Districts

Koompta 3rd May 1876

Sir,

I have the honor to forward the following report called for by your No. 2753/75 of the 30th June 1875 regarding the utility of the registers of Village service grants prepared by the Enam Department.

2nd. The Enam Superintendent reports that all particulars regarding the re-

No. 89 of the 2nd Nov. 1875 Para 2 " -muneration of the village servants both " in land or in cash from the Government

and

"and in grain or money from the ryots
"are carefully enquired into and registered."
3rd An enquiry of the nature above
detailed must be a very troublesome
one if conducted with due care and
at any rate as far as the value of
the direct grain levies is concerned
can only be conducted by careful
personal communication between the
hayets and receivers and an officer ?
accustomed to weigh the conflicting
statements sure to be made regarding
the value of these levies, the entries,
of their value in the accounts is of ? are
no real worth.

4th Regarding the cash payments
there is no difficulty in ascertaining
their amount from the Talooka accounts.

At

At the settlement the land Tuckh. the Survey valuation actually held by each Office is ascertained without doubt.

5th. In cases in which the existing emoluments of a Patel or Shanbog in land or money exceed the amount fixed by the sanctioned scale of permanent remuneration the mode of disposing of the surplus is provided for by Rules XXIII and XXIV of the Rules published under Chief Commissioners Notification No. 219 of the 27th October 1874 regarding the remuneration of the above Officers.

6th. In the case of Tulareers, Talars and Neerguntoos the existing emoluments in land or money are very small as a rule and whether held legitimately

or not in very few cases would it be
desirable to examine into their lease
with a view to any resumption of excess.
In the few cases in which from the
excessive amount of the existing emo=
luments some resumption would,
if just, be desirable, it could
better be provided for by the
extraction from the lists made by the
Settlement Department of the specific
cases of excess and by examination
into those alone or by an order similar
in character to the rules above referred
to applying to the Patels & Shanbags
excessive emoluments, whereby in
case of the existing emoluments from all
sources of a village servant exceeding
a certain sum in proportion to revenue

and

and population, the surplus 542 should be either partially or wholly resumed.

My letter No. 478 dated 30th March last and appended Statement shews, so far as one entire District goes, how very few cases of excessive emoluments in land or cash exist among village servants.

7th I would therefore advocate the discontinuance by the Enam Department of the preparation of registers of Enams of all village officers and servants as a useless procedure as a general measure, and as one which must take up a great deal of time which might be much more usefully employed. The registers which can be prepared from the

settlement papers as regards land and from the Talooka accounts as regards cash, which items alone require to be dealt with in the view of obviating illegitimate enjoyment of revenue, will meet every possible requirement and clearly indicate those very rare instances in the case of village servants in which any attention to excessive emoluments need be given. The case of Palels and Shanbogs is provided for sufficiently by Rules XXIII and XXIV above alluded to.

Your obdt servant,

J. Anderson

Survey & Enam Commissioner

Mysore

In concurrence with the opinion expressed by the Survey & Settlement Commissioner, the Chief Comr. considers that no useful object is attained by the preparation of registers of village service grants by the Main Departt., and accordingly directs their discontinuance.

2 + + 1

No. 3332
D. 4 July 1876
P. 109

Letter No. 667 dated 3rd May 1876 from the Survey and Settlement Commr

Order thereon.

In accordance with the opinion expressed by the Survey & Settlement Commr, the Captain considers that the object is attained by the preparation of registers of Village service grants by the Inam Department and according to such registers discontinuance.

Under the circumstances stated in the foregoing letter, the Chief Commissioner directs that the registration by the Inam Deptt of Village service grants in Government villages be discontinued in future.

2. The registers of Village service grants in Inam Villages will continue to be prepared as heretofore by the Inam Department.

(Sd) Secretary

To
The Survey & Settlement Commr
" Inam Commr
" Commrs of Divisions.

LC
29/6/76

1876
Revenue

To
The Survey & Settlement Com.
Mdm Commissioner

Dated 4 July
Despo
Ans

N 3332
R. 109

Draft for a/c to be

5/6/76

Circular

5-0 Copies

Recd. 5/Upon.
4-7

Directs discontinuance of the Registration of Village Service Grants by the Revenue Department.

Proceedings of the Chief Commissioner of Mysore, Department of Revenue, Agriculture and Commerce 4th July 1876.

From the Survey and Inam Commissioner of Mysore, to the Offg. Secretary to the Chief Commissioner of Mysore, General Department, No. 667, dated Nor Canara Districts, Kumpta, 3rd May 1876.

I have the honor to forward the following report called for by your No. 2753—75 of the 30th June 1875, regarding the utility of the registers of villag service grants prepared by the Inam Department.

2. The Inam Superintendent * reports that "al articulars regarding the remuneration of the "village servants bo in land or in cash from the Government and "in grain or money f m the ryots are carefully enquired into and "registered."

*No. 89 of the 2nd November 1875, Para 2.

3. An enquiry of the nature above detailed mu a very troublesome one if conducted with due care, and at any rate, as far as the value of the dire rain levies is concerned, can only be conduct- ed by careful personal communication between the pay nd receivers and an officer accustomed to weigh the conflicting statements sure to be made regard he value of these levies; the entries of their value in the accounts are of no real worth.

4. Regarding the cash payments there is no diffi y in ascertaining their amount from the taluk accounts. At the settlement the land with its s valuation actually held by each office is ascertained without doubt.

5. In cases in which the existing emoluments of a Patel or Shanbhog in land or money exceed the amount fixed by the sanctioned scale of permanent muneration, the mode of disposing of the sur- plus is provided for by Rule XXIII and XXIV of the r s published under Chief Commissioner's Notifi- cation No. 219 of the 27th October 1874 regarding the muneration of the above officers.

6. In the case of Talaris, Totis and Nirgantis existing emoluments in land or money are very small as a rule, and whether held legitimately or n very few cases would it be desirable to examine into their lease with a view to any resumption cess. In the few cases in which from the excessive amount of the existing emoluments some resu n would, if just, be desirable, it could better be provided for by the extraction from the lists made b Settlement Department of the specific cases of excess and by examination into those alone, or by a r similar in character to the rules above referred to applying to the Patels and Shanbhogs' exce emoluments, whereby in case of the existing emoluments from all sources of a village servant ex a certain sum in proportion to revenue and population, the surplus should be either partially or resumed. My letter No. 478, dated 30th March last, and appended statement shew, so far a re District goes, how very few cases of ex- cessive emoluments in land or cash exist among villa nts.

7. I would therefore advocate the discontinu he Inam Department of the preparation of registers of inams of all village officers and serv useless procedure as a general measure, and as one which must take up a great deal of tim might be much more usefully employed. The register which can be prepared from the settle pers as regards land and from the taluk accounts as regards cash, which items alone require t lt with in the view of obviating illegitimate enjoyment of revenue, will meet every possible requir nd clearly indicate those very rare instan- ces in the case of village servants in which any atten excessive emoluments need be given. The case of Patels and Shanbhogs is provided for sufficien ules XXIII and XXIV above alluded to.

No. 3332—Rev. 109, dated ORE, 4th July 1876.

Order thereon.—In concurrence with nion expressed by the Survey and Settlement Commissioner, the Chief Commissio nsiders that no useful object is at- tained by the preparation of registers of villag e grants by the Inam Department, and accordingly directs their discontinuance.

2. The registers of village service grant m villages will continue to be pre- pared as heretofore by the Inam Department.

T. CLARKE,
Offg. Secretary.

To—The Survey and Settlement Commissioner. 10
„ Inam Commissioner. 6
„ Commissioners of Divisions. 3 each

8-92

1876.

GOVERNMENT OF MYSORE.

REVENUE.

To

THE SURVEY AND SETTLEMENT COMMR.
„ INAM COMMISSIONER.
„ COMMISSIONERS OF DIVISIONS.

Dated July 4th.

Despatched 8th

Received 11/13

No. 3332.
Rev. 109.

Directs discontinuance of the registration of village service grants by the Inam Department.

G. 2199
56

1876

From The Offg: Inam Commissioner in Mysore

To

Secretary to Chief Commissioner,

General Department

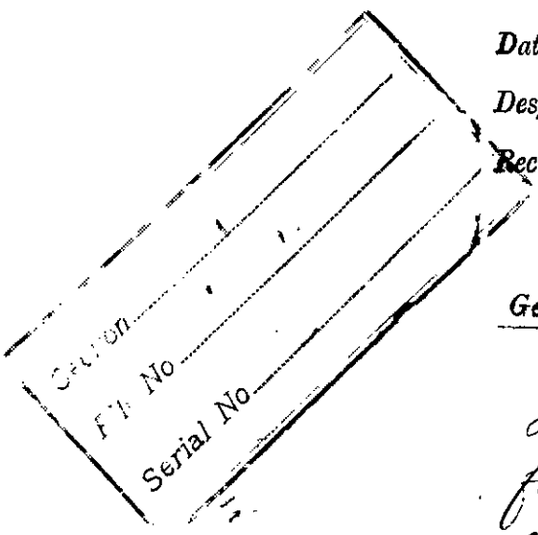
Dated 13th

Despatched 14th July 76

Received 14 Sep. 15th

Enclosures No. 1

General No. 2337
No.



Has the honor to forward for the consideration and orders of the Chief Commr a copy of Letter No. 27 of the 9th instant from the Superintendent of this Inam Settlt.

Vide Bundle 8/1876 & Year 1876 No. 5726 & 12 162

Offg: Inam Commr in Mysore

PAR

16.7.76

8/8/76.

Record & file

Please put up the

From Inam Superintendent
in Mysore
To the Offg. Inam Commr.
in Mysore
No. 270/10 10th July 1856.

Section
File No
Serial No

In reply to your No. 22 of the 13th Instant, forwarding a copy of the Chief Commissioner's Proceedings No. 3332/709 of the 4th Idem, directing the discontinuance of the preparation of the Registers of the Inams belonging to village servants, I have the honor to request that the Chief Commissioner's instructions may be obtained, as to whether the lands assigned at the survey settlement as service Inams to the several classes of village servants are to be brought on the Inam Registers and Title Deeds issued to them, in the same manner as to other Holders of service Inams?—

2- I had deprecated the preparation of the Registers for the Inams now held being discontinued, as they had been prepared for 53 out of 81 Taluks, and it was intended that the operations of this Department should furnish a complete return of all the Inams existing in the Province, to replace the older vernacular accounts.

3. According to the Chief Commissioner's Proceedings No. 3264/166 of the 17th October 1873, all service Inams alienated before the 9th September 1835 have to be confirmed to the alienee on ½ quit-rent, so that it is absolutely requisite that some —

enquiry

enquiry should be conducted by this Department relative to such ~~———————~~ service Inams. I would, therefore, venture to submit, for reconsideration, the advisability of the Registers for such Inams being prepared for the remaining Talooks of the Province, - and to propose that additional Columns should be entered in the Registers to contain the extent and assessment of the lands finally allotted by the Survey Department, on which the Title Deeds should be prepared.

/Sd/ Rob: Cole

"True Copy"

Offg Inam Commr
in Mysore.

BAh

2

2

Read

Letter No. 23 dated 13th July 1876 from the Offg. Inam Commissioner.

Order thereon, No. 5726/R.162 dt. 18th Sept/76.

The Chief Commissioner considers that the objections which it appears were raised by the Superintendent of Inam Settlements to the discontinuance of the registration of Village Service Inams as recently directed should have been adverted to by the Survey and Inam Commissioner in his letter No. 667 dated 3rd May 1876.

Bom

But if the object which
Major Cole seeks is
merely to complete
a record of such inams
which shall not
comprise the details
of the existing remu-
=neration of the
Village servants
an investigation
which has been
properly condemned
by Col. Anderson,
the necessity for
such a record which
the Survey and
Settlement Department
will supply as its
work proceeds, has
not been explained.
2. It appears to the
Chief Commissioner
however

however that the
investigation into and
disposal of cases
falling under the
provisions of paras
2 and 3 of this Office
Circular of 17th September
1935 and of the
Chief Commissioner's
order No. 3964/166 dated
17th October 1973 copies
of which are annexed
would properly belong
to the Income Depart-
ment and that
arrangements should
be made to provide
for the Income
enquiry being
continued with
reference to such cases

The

Proceedings of the Chief Comr
of Mysore.

Read

Letter No 23 dy 13th July 1876
from the Offg Inam Commr

Order thereon.

In Cl Comr considers that the objections raised by the Subdt of Inam Settlements to the discontinuance of the registration of Village Accounts as Security Deeds in certain cases, as stated by the Survey and Inam Commissioner in his letter No 667 dy 3d May 1876, should be overruled, as it would have been desirable that the objection which Major Cole seeks to have removed, should be allowed to complete the record of such cases, the details of which have been collected for 53 villages, by the aspect of it is not obvious

No 5126
R 162

dy 18th August 1876.

Which should comprise the details of the hereditary Emoluments of the Village Servants. An investigation which has been suspended since E. Col Anderson,

S-92

1876

54

To The Survey of Inam Comr.

Dated 18th August 1876.

Despatched 21

Encl. 2

5126
16 162

Communicating Chief Comrs. observ
= tions regarding the discontinuance
of the registration of Village Service
Inams.

precede that of the Survey.
The opinion of the
Survey and Exam. Comm.
is requested on this point.

Offg Secretary.

To
The ~~Sup. Offg~~ Examiners
~~Supt of Exam~~ Little Rock
~~Survey~~ Exam Louisville (R.)

~~Send~~ Supt report on this point

Corpl.
R.A.
18/8/76.

~~Inadvertently~~ such a
~~Omission to bring that~~ record
which ~~will be rectified~~
~~by~~ the Survey and Settlement
Department, ~~should be~~ explained.
~~Condemned in the Inam~~
~~Deptt. An explanation~~
~~is requested on this point.~~
? It appears in explanation however that
the investigation
into and disposal of cases
falling under the provisions
of paras 2 & 3 of the Office
Circular of 11th September
1835, and of the Chief
Comrs Order No 3964/166
of 17th October 1873 ~~Inam~~
properly belong to the
Inam Deptt, and that ~~it would have been desirable~~
that in respect of
such cases, the Inam
Settlement should

Copies which are
annexed
[illegible]

~~Copies should~~
~~be taken of~~
~~Inam & Settlement~~
arrangements made
to provide for the Inam
Enquiry being continued
till expiration of such
cases. The S. of Sett
Comm & Superintendent